

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**In re:**

**ORLY GENDER,  
(Debtor)**

§  
§  
§  
§

**Case No. 19-10926-TMD  
Chapter 7**

**NOTICE REGARDING SUPPLEMENTAL  
INFORMATION FILED UNDER SEAL**

**PLEASE TAKE NOTICE** that, pursuant the Order Requiring Supplemental Information Filed Under Seal [Doc. No. 49] (the “Order for Information”), entered by the Bankruptcy Court in the above-referenced Bankruptcy Case, pursuant to Rule 9018 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. § 107, Orly Genger (“Debtor” or “Orly”) hereby responds:

1. The Order for Information relates to the *Motion for an Order, Pursuant to Bankruptcy Rule 9018 and Section 107(b) of the Bankruptcy Code, Authorizing Sagi Genger to File Under Seal Certain of the Exhibits and Portions of the Motion to Dismiss Bankruptcy Case or, Alternatively, to Transfer Venue, and Memorandum of Law in Support* [Doc. No. 31] (the “Motion to File Under Seal”), filed by Sagi on September 13, 2019. Orly reserves the right to more fully respond to the Motion to File Under seal through separate briefing. In particular, Orly believes and asserts that the documents attached to the Motion to File Under Seal are largely irrelevant, inadmissible and should not be considered or reviewed by the Court in connection with any pending matter (the “Evidentiary Objections”). Attaching documents to a motion does not make them appropriate for consideration by the Court as evidence.

2. Additionally, on February 7, 2019, a Protective Order was entered in the case styled *Genger v. Genger*, pending in the United States District Court for the Southern District of New York under Cause No. 17-cv-8181-vs-b-dcf (the “SDNY Protective Order”).

3. Orly does not believe that this Court can effectively over-rule an order of another Federal Court by motion before this Court, and does not waive any rights that she may have in connection with the SDNY Protective Order. It is clear that the Motion to File Under Seal was designed to effect such a waiver and to have the Court consider otherwise irrelevant and inadmissible “evidence”.

4. However, and specifically reserving the Evidentiary Objections and subject to the effectiveness of the SDNY Protective Order, in direct response to paragraph 2 of the Order for Information, Orly does not assert that any privilege applies to the matters listed on the chart provided by Sagi’s counsel and is not attaching or filing under seal, a responsive chart for that purpose. Sagi and his counsel have previously made agreements regarding the redaction of certain personal information from certain credit card statements attached, and Orly requests that such agreements be adhered to.

Respectfully submitted,

WALLER LANSDEN DORTCH & DAVIS, LLP

By: /s/ Eric J. Taube

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COUNSEL FOR DEBTOR

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the parties listed on the attached Service List via the Court's ECF e-mail notification and via United States First Class Mail on October 3, 2019:

/s/ Eric J. Taube  
Eric Taube

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